

These minutes have not been reviewed or approved by the Board of Pharmacy.

NEBRASKA BOARD OF PHARMACY
MEETING MINUTES
January 30, 2017

ROLL CALL

Patricia Gollner, R.P., Chair, called the meeting of the Board of Pharmacy to order at 9:00 a.m. in the Lighthouse Room of the Country Inn & Suites, located at 5353 North 27th Street, Lincoln, Nebraska. The agenda was provided to Board members, posted on a public bulletin board in the Nebraska State Office Building, posted on the Department's website, and e-mailed to the "interested parties" list prior to the meeting. The following Board members answered roll call:

Patricia Gollner, R.P., Chair
Kenneth Saunders, R.P., Vice-Chair
Margaret Kucera, R.P.
Sabrina Beck, R.P.
Charlene Dunbar

A quorum was present and the meeting convened.

Also present were: Mike Rueb, R.P., Pharmacy Inspector; Dean Willson, Jr., R.P., Pharmacy Inspector; Jennifer King, RP, Pharmacy Inspector; Kathie Lueke, Program Manager; Vonda Apking, Health Licensing Coordinator; Teresa Hampton, Department Legal; Lisa Anderson, Assistant Attorney General; Jeff Newman, Investigator; Mark Meyerson, Investigator; and Dennis Scott, Investigator.

Gollner announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

Gollner asked Board and Department staff to introduce themselves to the new Board members and Margaret Kucera introduced herself to the Board and Department staff.

REVIEW OF AGENDA

Adoption of Agenda

Saunders moved, seconded by Beck, to approve the agenda as presented with the Chair having the authority to rearrange agenda items as needed. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: none. Motion carried.

Additions, Modification, Reordering

The Board requested that the following applications be removed from the consent agenda:

Jennie Cramm – Pharmacy Technician application
Ryan Parkhurst – Pharmacy Technician application
Alyssa Thirtle – Pharmacy Technician application
Brittany Lake – Pharmacy Technician application
Joy Fisher – Pharmacy Technician application
Teresa Lowe – Pharmacist application
Jack McGuire – Pharmacist application
Serena Moore – Pharmacy Technician reinstatement application

Adoption of Consent Agenda

Saunders moved, seconded by Beck, to approve the consent agenda as amended. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: none. Motion carried.

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INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, CONTROLLED SUBSTANCES AUDIT REPORTS & APPLICATION REVIEW – CLOSED SESSION

Beck moved, seconded by Saunders, to close the session at 9:11 a.m. to review investigational reports, disciplinary reports, controlled substances audit reports and applications. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: none. Motion carried.

Hampton left the meeting at 10:14 a.m.
Hampton returned to the meeting at 10:40 a.m.

Beck recused herself from the meeting at 11:10 a.m.
Beck rejoined the meeting at 11:13 a.m.

Saunders moved, seconded by Dunbar, to open the session at 11:36 a.m. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: none. Motion carried.

Gollner introduced the new Board member to the public audience.

DESIGNATION OF THE METHOD BY WHICH THIS BODY WILL GIVE PUBLIC NOTICE OF ITS MEETINGS

Apking explained that the Board needs to inform the public each year the method by which the Board will provide notice of their meetings. In the past, the Board had chosen to post meeting agendas at the Nebraska State Office Building, to e-mail agendas to the interested parties list, and to post agendas on the Department's website. Gollner moved, seconded by Beck, to continue the same method that the Department has been using to provide public notice of this Board's meetings by posting meeting agendas at the Nebraska State Office Building, by e-mailing agendas to the interested parties list, and by posting agendas on the Department's website. Voting aye: Beck, Dunbar, Gollner, and Kucera. Voting nay: none. Absent: Saunders. Motion carried.

APPROVAL OF MINUTES

November 21, 2016

Page 1: Under the voting to go into CLOSED SESSION, need to reflect that Dunbar was not absent.
Page 2: Under UPDATE ON BRYANLGH TECH-CHECK-TECH STUDY (JEROME WOHLER, RP), need to change all mentions of "BryanLGH" to "Bryan Medical Center".
Page 3: Under UPDATE OF DRAFT REGULATIONS, in the second line change "2017" to "2016".
Page 4: No changes.

Beck moved, seconded by Kucera, to approve the November 21, 2016 minutes as corrected. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

PDMP UPDATE

Felicia Quintana-Zinn, Prescription Drug Overdose Prevention Surveillance Epidemiologist, provided the Board with an update regarding the Nebraska Prescription Drug Overdose Prevention Efforts. Ms. Quintana-Zinn provided information regarding the two grants that DHHS has been awarded, specifically funding amounts and the strategy and progress of each of the grants. Ms. Quintana-Zinn also provided a list of those involved in the efforts in getting a PDMP in Nebraska. The Board thanked Ms. Quintana-Zinn for the update.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Pharmacy Technician Application(s) (9) - CONSENT

Saunders moved, seconded by Kucera, to recommend issuing a pharmacy technician registration to Jennie Cramm. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

Saunders moved, seconded by Beck, to recommend issuing a pharmacy technician registration to Ryan Parkhurst. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

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Kucera moved, seconded by Saunders, to recommend issuing a pharmacy technician registration to Alyssa Thirtle. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

Dunbar moved, seconded by Beck, to recommend issuing a pharmacy technician registration to Brittany Lake. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

Saunders moved, seconded by Beck, to postpone action on the pharmacy technician registration application of Joy Fisher in order to obtain additional information. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

Pharmacy Technician Reinstatement Application(s) (1)

Kucera moved, seconded by Saunders, to recommend reinstating the pharmacy technician registration of Serena Moore. Voting aye: Dunbar, Gollner, Kucera, and Saunders. Abstain: Beck. Voting nay: None. Motion carried.

Pharmacist Application(s) (3)

Saunders moved seconded by Beck, to recommend denying the pharmacist application of Teresa Lowe. The basis for this denial is disciplinary action against her pharmacist license in Iowa and Missouri. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

Saunders moved seconded by Kucera, to recommend issuing a pharmacist license to Jack McGuire upon meeting all requirements for licensure. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

REVIEW OF PHARMACEUTICAL CARE AGREEMENT(S) (13) – CONSENT

APPROVAL OF ACCREDITATION COUNCIL OF PHARMACY EDUCATION (ACPE) ACCREDITED PHARMACY PROGRAMS (2017) – CONSENT

2017 LEGISLATION

LB18 - Change licensure and scope of practice for dental assistants and dental hygienists

The Board chose to watch this legislation.

LB 88 - Provide for temporary credentials under the Uniform Credentialing Act for military spouses

The Board chose to watch this legislation.

Hampton left the meeting at 12:14 p.m.

LB 117 - Adopt the Investigational Drug Use Act

The Board chose to watch this legislation.

LB 166 - Change provisions of Uniform Controlled Substances Act and Pharmacy Practice Act

Saunders moved, seconded by Kucera, to have the Board send a letter of support for this legislation. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried. Gollner volunteered to write the letter.

LB 167 - Include cannabidiol as a Schedule V controlled substance

Saunders moved, seconded by Beck, to have the Board send a letter of support for this legislation. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried. Gollner volunteered to write the letter.

LB 391 - Provide requirements for use of injections and surgical procedures by optometrists

The Board chose to watch this legislation.

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LB 481 - Provide for drug product selection for interchangeable biological products

The Board chose to watch this legislation.

LB 583 - Remove the authority of veterinarians to dispense controlled substances

This bill was withdrawn on January 24, 2017.

LB 586 - Change requirements for the prescription drug monitoring system

Kucera moved, seconded by Saunders, to have the Board send a letter of opposition for this legislation. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried. Kucera volunteered to write the letter.

LB 622 - Adopt the Medical Cannabis Act

The Board chose to watch this legislation.

LB 642 - Delay prescription drug monitoring requirements for veterinarians

This bill was withdrawn on January 24, 2017.

UPDATE ON REGULATIONS DEVELOPMENT

Hearing Summary on 172 NAC 128 (Pharmacist, Pharmacist Intern, and Pharmacy Technician Licensure)

The Board reviewed a hearing summary. Lueke informed the Board that Department Legal determined that some of the changes to 172 NAC 128 were substantive and would require an additional public hearing. Changes made to 172 NAC 128-003.01A, 172 NAC 128-003.01C3, and 172 NAC 128-006.01 would be considered substantive changes.

Hearing Summary on 175 NAC 8 (Pharmacy Licensure)

The Board reviewed a hearing summary. Lueke informed the Board that Department Legal determined that some of the changes to 175 NAC 8 were substantive and would require an additional public hearing. Changes made to 175 NAC 8-005.04, 175 NAC 8-007.01A and B, and 175 NAC 8-007.02A would be considered substantive changes.

Joni Cover, Executive Director, from the Nebraska Pharmacists Association (NPA) requested a copy of the Hearing summaries for both 172 NAC 128 and 175 NAC 8.

NATIONAL ASSOCIATION OF BOARDS OF PHARMACIES (NABP)

2017 MPJE Item Development Workshop – March 14-16, 2017

King and Willson will be attending this meeting as Nebraska's representatives. NABP will pay travel expenses for two representatives. Staff will submit the request for out-of-state travel.

Annual Meeting in Orlando, FL on May 20-23, 2017

Saunders, Beck, Kucera, and Willson expressed interest in attending this meeting.

NABP Travel Grant Information

Staff will submit an application for the NABP Travel Grant for Saunders as the voting delegate for the Board.

NABP Delegate Nomination and Certificate Information

Kucera moved, seconded by Dunbar, to nominate Saunders as Nebraska's voting delegate and Beck as Nebraska's alternate voting delegate for the NABP 2017 Annual Meeting in Orlando, FL. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

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Nominations for NABP 2017 AM Awards

No discussion at this time.

ELECTION OF OFFICERS

Gollner Moved, seconded by Beck, to nominate Saunders as Chair. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

Saunders moved, seconded by Gollner, to nominate Beck as Vice-Chair. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

Beck moved, seconded by Gollner, to nominate Dunbar as Secretary. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

Saunders volunteered to review investigations when requested.

ADJOURNMENT

Saunders moved, seconded by Beck, to adjourn the meeting at 1:00 p.m. Voting aye: Beck, Dunbar, Gollner, Kucera, and Saunders. Voting nay: None. Motion carried.

Respectfully submitted,

(signature on file with the Department)

Charlene Dunbar, Secretary
Board of Pharmacy